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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/150,549	09/09/1998	WILLIAM J. JOHNSON	DA9-92-108B	6592

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EXAMINER

HUYNH, BA

ART UNIT

PAPER NUMBER

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Please find below and/or attached an Office communication concerning this application or proceeding.



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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 26

Application Number: 09/150,549
Filing Date: September 09, 1998
Appellant(s): JOHNSON ET AL.

MAILED
JAN 14 2003
Technology Center 2100

Andrew J. Dillon
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 10/23/2002.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The brief indicates that all appeal claims stand or fall together.

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

5,798,762

Buxton et al

8/1998

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claim1, 3-7, 9-12 are rejected under 35 U.S.C. 103(a). This rejection is set forth in prior Office Action, Paper No. 19.

(11) *Response to Argument*

Buxton et al teach a computer implemented method and corresponding means for execution of a user predefined process (macro) within a data processing system. The system has a keyboard 25, a plurality of objects 52, a cursor 55, and a pointing device 27 having button 32 (figure 1). The user predefined process is a recorded sequence of user input keystrokes (23:50-61). The user predefined process is a tool which can be applied to one or more of the object 52. The predefined process can be associated with cursor 55 responsive to a user dragging input (14:19) or a modal input (26:1-22). The predefined process is executed on any suitable object 52 (14:19).

The appellants argue that the predefined process is not associated with the cursor 55. The argument appears to separate the predefined process (the tool) from the overlay. However the predefined process and the overlay is one single unit. Moving the overlay is moving the predefined process, and moving the predefined process is moving the overlay. Associating the cursor with the overlay is associating the cursor with the predefined process and vice versa. Secondly and more importantly, the predefined process can be associated with the cursor in modal tool as disclosed by Buxton (26:1-22). Per Buxton, the predefined process is associated with the cursor such that "the user can repeatedly perform operations as though they were clicking through that tool", meaning that the tool is "attached" (associated) to the cursor such that the user does not have to reselect the tool for each subsequence execution. A visual indication of the association is provided to the user "the cursor could take a shape similar to that

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of the tool as a reminder of the persistence of the mode". Thus the association between the cursor and the predefined process is clearly disclosed by Buxton et al.

For the above reasons, it is believed that the rejections should be sustained.

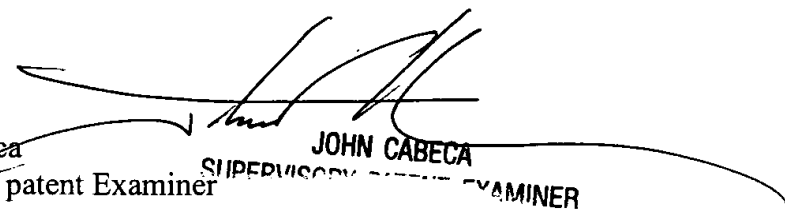
Art Unit: 2173

Respectfully submitted,

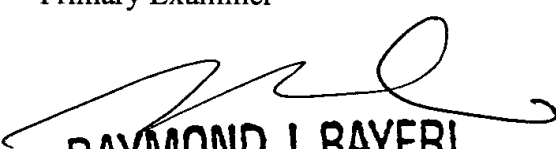
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